

1 STEVEN G. KALAR  
Federal Public Defender  
2 JOYCE LEAVITT  
Assistant Federal Public Defender  
3 555 12<sup>th</sup> Street, Suite 650  
Oakland, CA 94607-3627  
4 (510) 637-3500

5 Counsel for Defendant SANCHEZ-ESPINO

6  
7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
9

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13  
14 VICTOR SANCHEZ ESPINO,

15 Defendant.  
16

)  
) No. CR 12-0323 YGR

)  
) STIPULATION AND ~~[PROPOSED]~~  
) ORDER CONTINUING CHANGE OF  
) PLEA DATE; EXCLUSION OF TIME  
)

17 **STIPULATION**

18 IT IS HEREBY STIPULATED, by and between the parties to this action, that the change of  
19 plea date in this case with respect to Victor Sanchez Espino, currently scheduled for Thursday,  
20 October 25, 2012, at 2:00 p.m., may be continued to Thursday, November 15, 2012, at 2:00 p.m. for  
21 change of plea. The reason for the continuance is that defense counsel needs additional time to  
22 complete review of the agreement with Mr. Sanchez Espino and discuss proposed changes with the  
23 government prior to the next court date. The parties therefore stipulate that the time from October  
24 25, 2012, to November 15, 2012, should be excluded in accordance with the Speedy Trial Act, 18  
25 U.S.C. §§ 3161(b), (h)(7)(A) and (B)(iv) for adequate preparation of counsel so that counsel can  
26

1 review the plea agreement and revisions with Mr. Sanchez Espino prior to the next court date.

2 DATED: 10/24/12

/s/  
\_\_\_\_\_  
JOYCE LEAVITT  
Assistant Federal Public Defender

4 DATED: 10/24/12

/s/  
\_\_\_\_\_  
RANDY S. LUSKEY  
Assistant United States Attorney

6  
7 I hereby attest that I have permission of the parties to enter a conformed signature (/s/) for all  
8 signatures within this e-filed document.


9 **ORDER**

10 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that change of plea date in this  
11 case with respect to Victor Sanchez Espino, currently scheduled for Thursday, October 25, 2012, at  
12 2:00 p.m. is continued to Thursday, November 15, 2012, at 2:00 p.m. for change of plea.

13 IT IS FURTHER ORDERED that the time from October 25, 2012, to November 15, 2012,  
14 should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(b),  
15 (h)(7)(A) and (B)(iv) for adequate preparation of counsel so that counsel can complete review of the  
16 plea agreement and revisions with Mr. Sanchez Espino prior to the entry of the change of plea. The  
17 Court finds that there is good cause and that the ends of justice served by the granting of the  
18 continuance outweigh the best interests of the public and the defendant in a speedy and public trial  
19 and the failure to grant the requested continuance would unreasonably deny counsel the reasonable  
20 time necessary for effective preparation, taking into account due diligence.

21 SO ORDERED.

22 DATED: 10/24/12

23  
24   
\_\_\_\_\_  
HON. YVONNE GONZALEZ ROGERS  
United States District Judge